**In the High Court of Justice, Family Division**



**No: [*Case number*]**

**[The Child Abduction and Custody Act 1985 incorporating the 1980 Hague Convention on the Civil Aspects of International Child Abduction] /**

**[The 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition and Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children] /**

**[The Senior Courts Act 1981] /**

**[Council Regulation (EC) No. 2201/2003]**

**The child[ren]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

After hearing [*name the advocate(s) who appeared*]

After consideration of the documents lodged by the applicant and the respondent

After reading the statements and hearing the witnesses specified in paragraph [6] / [*para number*] of the Recitals below

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

**IMPORTANT WARNING TO [*RESPONDENT NAME*] OF [*RESPONDENT ADDRESS*]**

**If you [*respondent name*] disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.**

**If any other person who knows of this order and does anything which helps or permits you [*respondent name*] to breach the terms of this order they may be held to be in contempt of court and may be imprisoned, fined or have their assets seized.**

**The parties**

1. The applicant is [*applicant name*]

The respondent is [*respondent name*]

**(Specify any additional respondents)**

**(Specify if any adult party acts by a litigation friend)**

**(Specify if the children or any of them act by a children’s guardian)**

**Recitals**

1. This order was made at a hearing at which both parties were present and represented.
2. The judge read the following [affidavits] / [witness statements] [*set out*] and heard oral evidence from [*name*].
3. The judge refused the application on the basis that the respondent had established an exception under Article 13 of the 1980 Hague Convention, that is to say [*insert exception*].
4. [*Insert any further recitals*]

**Undertakings to the court by the applicant [*applicant name*] or respondent [*respondent name*]**

1. [*Insert any undertakings*]

**IT IS ORDERED THAT:**

1. The application for summary return pursuant to the 1980 Hague Convention on the Civil Aspects of International Child Abduction is dismissed.
2. A transcript of the oral evidence of the parties and (any other person) be prepared on an expedited basis at public expense and sent to the applicant [father] / [mother]’s solicitors [*applicant solicitor firm*] for onward transmission to the [*insert*] Central Authority via the English Central Authority pursuant to Article 11 (6) of EC Regulation 2201/2003 (‘Brussels II Revised’).
3. A copy of the following documents shall be sent to the International Child Abduction and Contact Unit (ICACU) by the applicant’s solicitors:
   1. The transcript of the parties’ oral evidence (as ordered above) ;
   2. This order;
   3. The judgment of [Mr] / [Mrs] Justice [*name*] dated [*date*]; and
   4. The final hearing bundle containing the documents filed herein.
4. The ICACU upon receipt of the documents referred to in paragraph 3 above shall immediately transmit them and a [*insert*] translation (as soon as these become available) to the [*insert*] Central Authority pursuant to Article 11 (6) of the Brussels II Revised.
5. Permission is granted for the parties to disclose any document filed in these proceedings and the judgment herein to [*insert* *legal advisors*] / [the [*insert*] court].
6. The Tipstaff shall return to the respondent all passports and international travel documents relating to the respondent and the child[ren].
7. [Permission to appeal is refused.] / [[Permission to appeal is granted.] [Time limit for filing an Appellant’s Notice shall be 7 days from today.]]
8. [There shall be no order as to costs, including the costs reserved save that there shall be a legal aid detailed assessment of all parties’ costs.] / [The [applicant] / [respondent] shall pay the costs of the [respondent] / [applicant] [summarily assessed at £ [*amount*]] / [to be subject to a detailed assessment if not agreed]. The costs shall be paid by [*date*] or 14 days from the date of the assessment.]

Dated [*date*]

**Notice pursuant to PD 37A para 2.1**

You [*applicant name*] may be sent to prison for contempt of court if you break the promise that have been given to the court

**Statements pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

[*applicant name*] [signed on [his] / [her] behalf by [*applicant solicitor name*]]

**Notice pursuant to PD 37A para 2.1.**

You [*respondent name*] may be sent to prison for contempt of court if you break the promise that have been given to the court

**Statements pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

[*respondent name*] [signed on [his] / [her] behalf by [*respondent solicitor name*]]